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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/079,966	02/21/2002	Jeffrey R. Cobb	WILY-01008US0

MAY 24 2002  
PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

Burt Magen  
Vierra Magen Marcus Harrington & DeNiro, LLP  
685 Market Street, Suite 540  
San Francisco, CA 94105-4206

**CONFIRMATION NO. 9235**  
**FORMALITIES LETTER**



\*OC00000007662497\*

Date Mailed: 03/18/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/29/2002 BABRAHA1 00000043 10079966

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
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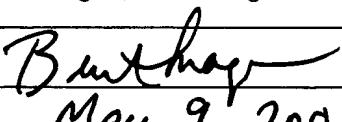
(to be used for all correspondence after initial filing)

		Application Number	10/079,966
		Filing Date	February 21, 2002
		First Named Inventor	Cobb
		Group Art Unit	2165
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	WILY-01008US0

### ENCLOSURES (check all that apply)

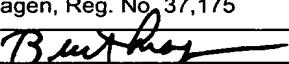
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> to Group
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	of Appeals and Interferences
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a	<input type="checkbox"/> Appeal Communication to Group
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Provisional Application	(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Change of Correspondence	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority	<input type="checkbox"/> Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please
Document(s)	<input type="checkbox"/> Terminal Disclaimer	identify below):
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Declaration for Patent Application
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> CD, Number of CD(s) _____	
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Burt Magen, Vierra Magen Marcus Harmon & DeNiro LLP
Signature	 May 9, 2002
Date	

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	Burt Magen, Reg. No. 37,175		
Signature		Date	May 9, 2002

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 65.00)

## Compt If Known

Application Number	10/079,966
Filing Date	February 21, 2002
First Named Inventor	Cobb
Examiner Name	
Group Art Unit	2165
Attorney Docket No.	WILY-01008US0

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																			
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number <b>501826</b>  Deposit Account Name <b>Vierra Magen Marcus Harmon &amp; DeNiro LLP</b>  <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for ex parte reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640 Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640 Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230 Design issue fee</td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310 Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370 Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370 For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370 Request for Continued Examination (RCE)</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr> <td colspan="4">*or number previously paid, if greater; For Reissues, see above</td> <td colspan="4">           *Reduced by Basic Filing Fee Paid <b>\$ 0.00</b> <b>SUBTOTAL (3) (\$ 65.00)</b> </td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - late filing fee or oath	127	50	227	25 Surcharge - late provisional filing fee or cover sheet	139	130	139	130 Non-English specification	147	2,520	147	2,520 For filing a request for ex parte reexamination	112	920*	112	920* Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	115	110	215	55 Extension for reply within first month	116	400	216	200 Extension for reply within second month	117	920	217	460 Extension for reply within third month	118	1,440	218	720 Extension for reply within fourth month	128	1,960	228	980 Extension for reply within fifth month	119	320	219	160 Notice of Appeal	120	320	220	160 Filing a brief in support of an appeal	121	280	221	140 Request for oral hearing	138	1,510	138	1,510 Petition to institute a public use proceeding	140	110	240	55 Petition to revive - unavoidable	141	1,280	241	640 Petition to revive - unintentional	142	1,280	242	640 Utility issue fee (or reissue)	143	460	243	230 Design issue fee	144	620	244	310 Plant issue fee	122	130	122	130 Petitions to the Commissioner	123	50	123	50 Processing fee under 37 CFR 1.17(q)	126	180	126	180 Submission of Information Disclosure Stmt	581	40	581	40 Recording each patent assignment per property (times number of properties)	146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	179	740	279	370 Request for Continued Examination (RCE)	169	900	169	900 Request for expedited examination of a design application	Other fee (specify) _____				*or number previously paid, if greater; 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SUBMITTED BY <span style="float: right;">Complete (if applicable)</span> <table border="1"> <tr> <td>Name (Print/Type)</td> <td>Burt Magen</td> <td>Registration No. (Attorney/Agent)</td> <td>37,175</td> <td>Telephone</td> <td>415.369.9660</td> </tr> <tr> <td>Signature</td> <td colspan="4"></td> <td>Date <b>May 9, 2002</b></td> </tr> </table>								Name (Print/Type)	Burt Magen	Registration No. (Attorney/Agent)	37,175	Telephone	415.369.9660	Signature					Date <b>May 9, 2002</b>																																																																																																																				
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